

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA  
EASTERN DIVISION

TINA DEAN, Individually and as next of  
friend for her minor children DD, DC, and  
DZD; and TRACY MCGONIGLE, as  
next of friend for her minor child HH,

Plaintiffs,

vs.

JAY MURRAY and BRIAN JOBGEN,  
Individually and as police officers for the  
City of Dubuque Iowa,

Defendants.

No. 16-CV-1003-KEM


**ORDER**

Following lengthy deliberations the jury notified the court that they were unable to reach a verdict that was unanimous on one count, but that they had reached verdicts on the remaining counts. Counsel for the parties agreed to acceptance of the partial verdict and that a mistrial be declared on the count for which the jury was unable to reach a verdict. The court accepted the verdicts on all counts, except for Count 3C (D.C.'s unlawful arrest). On Count 3C the court, with agreement of all parties, declared a mistrial and discharged the jury.

Counsel shall contact the court jointly, in writing or by telephone, to schedule a new trial date on Count 3C or Plaintiffs shall file a dismissal if appropriate.

**IT IS SO ORDERED.**

**DATED** this 26th day of July, 2017.

  
Kelly K.E. Mahoney  
United States Magistrate Judge  
Northern District of Iowa